

THOMAS BUCKMANN

IBLA 76-174

Decided November 26, 1975

Appeal from a decision of the California State Office, Bureau of Land Management, rejecting simultaneous oil and gas lease offer CA 3177.

Affirmed.

1. Oil and Gas Leases: Applications: Generally--Oil and Gas Leases:
Applications: Drawings

A simultaneous oil and gas lease offer is properly rejected where the drawing card is not signed.

APPEARANCES: Thomas Buckmann, pro se.

OPINION BY ADMINISTRATIVE JUDGE HENRIQUES

Thomas Buckmann has appealed from a decision of the California State Office, Bureau of Land Management, dated August 28, 1975, rejecting his simultaneous oil and gas lease offer, CA 3177, which had received first priority in the July 1975 simultaneous drawing. The reason given for the rejection was that appellant's card was neither signed nor dated.

Appellant contends that having placed his card in the drawing, the State Office should, in effect, be estopped from contesting its validity. Simultaneous oil and gas lease offers, however, are adjudicated only after they are drawn. Appellant is in no way injured by this process, since the essential question remains whether his offer was properly rejected.

[1] It is well settled that failure to sign the entry card impels the rejection of the lease offer. The applicable regulation, 43 CFR 3112.2-1, clearly requires that the entry card be "signed

and fully executed." Indeed, the signing of the card is the certification of all other statements made on the card. Failure to sign the entry card must, therefore, result in the rejection of the offer. Cf. Superior Oil Co. v. Udall, 409 F.2d 1115 (D.C. Cir. 1969).

Accordingly, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

Douglas E. Henriques
Administrative Judge

We concur:

Martin Ritvo
Administrative Judge

Edward W. Stuebing
Administrative Judge

